Remarks

Claims 1-12, 14-34, and 36-44 are now pending in this application. Claims 1-12, 14-34, and 36-44 are rejected. Claims 1, 17, 19, 30, 34, and 36 have been amended. No new matter has been added.

The rejection of Claims 1-12, 14-34, and 36-44 under 35 U.S.C. § 103(a) as being unpatentable over Cansler et al. (U.S. Patent No. 6,725,257) and further in view of Avery et al. (U.S. Patent Application Publication 2003/0208365) is respectfully traversed.

Cansler et al. describe a process a user goes through to configure an orderable vehicle. To begin the process, the user establishes a network connection between a client (60) and a server (40) (column 4, lines 30-33). Using a Web browser on the client, the user selects a desired base configuration by selecting a year, make, model and style of a vehicle (column 4, lines 33-36). When the base configuration is selected, its set of standard attributes (i.e. the standard equipment) and other information is downloaded from the server to the client (column 4, lines36-39). The user studies the standard attributes and other information and decides whether they are interested in this vehicle and wish to configure it by selecting a set of optional attributes (i.e., optional equipment) (column 4, lines 39-42). If the user does not want to configure the selected vehicle, the user decides whether to select another base configuration (column 4, lines 42-46).

Avery et al. describe a method in which a user is presented electronically with a finished quotation document, including an outline drawing suitable for installation purposes (paragraph 56). The user may select a drawing option, such a CAD system, to develop engineering design drawing for a transformer (paragraph 69). The user selects factory assembly drawings (paragraph 71). If the user wants to create outline drawings in, for example, an AutoCAD Release 14 format, then the user may click on a Create a CAD drawing (DWG) of his or her design button (760) (paragraph 163). This creates the outline drawing on a server and offers the user an opportunity to download the drawing to their local machine (paragraph 163).

Claim 1 recites a method for facilitating selection of a product for an electrical distribution and control system using a network-based system including a server and at least one device connected to the server via a network, the method comprising the steps of "receiving product specification information from a user via the device; comparing the received product specification information with pre-stored product information; determining whether a portion of the received product specification information is compatible with remaining portions of the received product specification information; providing stored information regarding upgrades of the product on determining that the portion is incompatible with the remaining portions; generating, by a computer, a circuit diagram of the product when accessing the stored information; prompting the user to provide a type of load configured to couple to the product; selecting at least one product which matches the received product specification information; and downloading information related to the selected product."

Neither Cansler et al. nor Avery et al., considered alone or in combination, describe or suggest a method for facilitating selection of a product for an electrical distribution and control system as recited in Claim 1. Specifically, neither Cansler et al. nor Avery et al., considered alone or in combination, describe or suggest generating, by a computer, a circuit diagram of the product when accessing the stored information. Rather, Cansler et al. describes selecting a desired base configuration by selecting a year, make, model and style of a vehicle. Cansler et al. further describe downloading a set of standard attributes and other information from a server to a client when the base configuration is selected. Cansler et al. also describe studying the standard attributes and other information and deciding whether to configure the vehicle by selecting a set of optional attributes. Avery et al. describe selecting a drawing option, such as a CAD system, to develop an engineering design drawing for a transformer. Avery et al. further describe selecting a factory assembly drawing. Avery et al. also describe creating outline drawings in, for example, an AutoCAD Release 14 format, by clicking on a Create a CAD drawing button. Accordingly, neither Cansler et al. nor Avery et al., considered alone or in combination, describe or suggest generating, by a computer, a circuit diagram of the product when accessing the stored information. For the reasons set forth above, Claim 1 is submitted to be patentable over Cansler et al in view of Avery et al.

Claims 2-12, 14-16, and 41 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-12, 14-16, and 41 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-12, 14-16, and 41 likewise are patentable over Cansler et al in view of Avery et al.

Claim 17 recites a system for facilitating selection of a component for an electrical distribution and control product, the system comprising "a device; and a server connected to said device and configured to: receive component information data from a user via said device, the received component information data including at least one of a feature of the component and an accessory of the component; determine whether a portion of the received component information data is compatible with remaining portions of the received component information data; provide information regarding upgrades of the component on determining that the portion is incompatible with the remaining portions; generate a circuit diagram of the component when the user accesses a graphical depiction produced based on the received component information data of the component; prompt the user to provide a type of load configured to couple to the component; and identify stored component information data that matches the received component information data entered by the user."

Neither Cansler et al. nor Avery et al., considered alone or in combination, describe or suggest a system for facilitating selection of a component for an electrical distribution and control product as recited in Claim 17. Specifically, neither Cansler et al. nor Avery et al., considered alone or in combination, describe or suggest a server configured to generate a circuit diagram of the component when the user accesses a graphical depiction produced based on the received component information data of the component. Rather, Cansler et al. describes selecting a desired base configuration by selecting a year, make, model and style of a vehicle. Cansler et al. further describe downloading a set of standard attributes and other information from a server to a client when the base configuration is selected. Cansler et al. also describe studying the standard attributes and other information and deciding whether to configure the vehicle by selecting a set of optional attributes. Avery et al. describe selecting a drawing option, such as a CAD system, to develop an engineering design drawing for a transformer. Avery et al. further describe selecting a factory assembly drawing. Avery et al. also describe creating outline drawings in, for example, an

AutoCAD Release 14 format, by clicking on a Create a CAD drawing button.
Accordingly, neither Cansler et al. nor Avery et al., considered alone or in
combination, describe or suggest a server configured to generate a circuit diagram of
the component when the user accesses a graphical depiction. For the reasons set forth
above, Claim 17 is submitted to be patentable over Cansler et al in view of Avery et
al.

Claims 18-29 and 42 depend, directly or indirectly, from independent Claim
17. When the recitations of Claims 18-29 and 42 are considered in combination with
the recitations of Claim 17, Applicants submit that dependent Claims 18-29 and 42
likewise are patentable over Cansler et al in view of Avery et al.

Claim 30 recites a computer programmed to "prompt a user to select a
component of an electrical distribution and control product; prompt the user to
provide information required to generate a recommendation for the product; generate
a circuit diagram of the component when accessing a graphical depiction produced
based on the information required to generate the recommendation for the product;
prompt the user to provide at least one of an amount of efficiency provided by and an
amount of noise generated by an application of the component; determine whether a
portion of the user provided information is compatible with remaining portions of the
user provided information; instruct to display a message that the portion is
incompatible with the remaining portions on determining that the portion is
incompatible with the remaining portions; and generate the recommendation using the
user provided information."

Neither Cansler et al. nor Avery et al., considered alone or in combination,
describe or suggest a computer as recited in Claim 30. Specifically, neither Cansler et
al. nor Avery et al., considered alone or in combination, describe or suggest a
computer configured to generate a circuit diagram of the component when accessing a
graphical depiction produced based on the information required to generate the
recommendation for the product. Rather, Cansler et al. describes selecting a desired
base configuration by selecting a year, make, model and style of a vehicle. Cansler et
al. further describe downloading a set of standard attributes and other information
from a server to a client when the base configuration is selected. Cansler et al. also
describe studying the standard attributes and other information and deciding whether

to configure the vehicle by selecting a set of optional attributes. Avery et al. describe selecting a drawing option, such as a CAD system, to develop an engineering design drawing for a transformer. Avery et al. further describe selecting a factory assembly drawing. Avery et al. also describe creating outline drawings in, for example, an AutoCAD Release 14 format, by clicking on a Create a CAD drawing button. Accordingly, neither Cansler et al. nor Avery et al., considered alone or in combination, describe or suggest a computer configured to generate a circuit diagram of the component when accessing a graphical depiction. For the reasons set forth above, Claim 30 is submitted to be patentable over Cansler et al. in view of Avery et al.

Claims 31-34 and 43 depend, directly or indirectly, from independent Claim 30. When the recitations of Claims 31-34 and 43 considered in combination with the recitations of Claim 30, Applicants submit that dependent Claims 31-34 and 43 likewise are patentable over Cansler et al. in view of Avery et al.

Claim 36 recites apparatus comprising "means for prompting a user to select a component for an electrical distribution and control product; means for prompting the user to provide information regarding the selected component; means for generating a circuit diagram of the component when accessing a graphical depiction produced based on the information; means for prompting the user to provide at least one of an amount of efficiency provided by and an amount of noise generated by an application of the component; means for determining whether a portion of the information is compatible with remaining portions of the information; means for displaying a message that the portion is incompatible with the remaining portion on determining that the portion is incompatible with the remaining portions; and means for transmitting to the user a recommendation for a particular component."

Neither Cansler et al. nor Avery et al., considered alone or in combination, describe or suggest apparatus as recited in Claim 36. Specifically, neither Cansler et al. nor Avery et al., considered alone or in combination, describe or suggest means for generating a circuit diagram of the component when accessing a graphical depiction produced based on the information. Rather, Cansler et al. describes selecting a desired base configuration by selecting a year, make, model and style of a vehicle. Cansler et al. further describe downloading a set of standard attributes and other

information from a server to a client when the base configuration is selected. Cansler et al. also describe studying the standard attributes and other information and deciding whether to configure the vehicle by selecting a set of optional attributes. Avery et al. describe selecting a drawing option, such as a CAD system, to develop an engineering design drawing for a transformer. Avery et al. further describe selecting a factory assembly drawing. Avery et al. also describe creating outline drawings in, for example, an AutoCAD Release 14 format, by clicking on a Create a CAD drawing button. Accordingly, neither Cansler et al. nor Avery et al., considered alone or in combination, describe or suggest means for generating a circuit diagram of the component when accessing a graphical depiction. For the reasons set forth above, Claim 36 is submitted to be patentable over Cansler et al. in view of Avery et al.

Claims 37-40 and 44 depend, directly or indirectly, from independent Claim 36. When the recitations of Claims 37-40 and 44 considered in combination with the recitations of Claim 36, Applicants submit that dependent Claims 37-40 and 44 likewise are patentable over Cansler et al. in view of Avery et al.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-12, 14-34, and 36-44 be withdrawn.

Moreover, Applicants respectfully submit that the Section 103 rejection of Claims 1-12, 14-34, and 36-44 is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Cansler et al. nor Avery et al., considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Cansler et al. with Avery et al. because there is no motivation to combine the references suggested in the cited art itself.
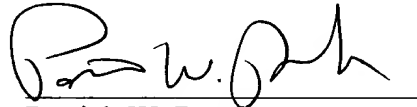
As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior

art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Cansler et al. teach selecting a desired base configuration by selecting a year, make, model and style of a vehicle. Cansler et al. further teach downloading a set of standard attributes and other information from a server to a client when the base configuration is selected. Cansler et al. also teach studying the standard attributes and other information and deciding whether to configure the vehicle by selecting a set of optional attributes. Avery et al. teach selecting a drawing option, such as a CAD system, to develop an engineering design drawing for a transformer. Avery et al. further teach selecting a factory assembly drawing. Avery et al. also teach creating outline drawings in, for example, an AutoCAD Release 14 format, by clicking on a Create a CAD drawing button. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejections of Claims 1-12, 14-34, and 36-44 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

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